

**AMENDMENTS TO THE CLAIMS AND CLAIM LISTING**

Claims 12-19 are hereby cancelled from this application. Claims 20-26 are added hereby. Following is a listing of claims as they stand in this application following entry of the present amendment.

1. (Previously presented) A computer-implemented method for an on-line auction of the type wherein a plurality of customers may purchase a product supplied by one or more merchants, said method comprising the steps of:

acquiring, over a network, customer information from said plurality of customers, said customer information including a Preferred Program Term selected from one or more Program Terms associated with said product;

automatically grouping said one or more plurality of customers into one or more pools prior to an auction in accordance with said selected Preferred Program Term, wherein said Preferred Program Term comprises indicia associated with said product;

receiving, over said network, bids from said one or more merchants in connection with providing said product collectively to said one or more pools of said plurality of customers;

comparing said bids from said merchants to select a preferred bid from a preferred merchant;

notifying, over said network, said preferred merchant of said preferred bid.

2. (Previously presented) The method of claim 1, wherein said grouping step includes grouping said customers via characteristic pooling in accordance with a Program Term associated with a characteristic of said customers.

3. (Previously presented) The method of claim 1, wherein said grouping step includes grouping said customers via commitment pooling in accordance with a Program Term associated with the customers' level of commitment.
4. (Previously presented) The method of claim 1, wherein potential customers are grouped into ghost pools, and wherein said merchants bid on said ghost pools to obtain the right to provide a previously agreed upon number of said potential customers with said product.
5. (Previously presented) The method of claim 1, wherein said grouping step includes grouping said plurality of customers into pools in accordance with the customers' predefined ranking of two or more Program Terms.
6. (Previously presented) The method of claim 1, further comprising grouping said customers into at least a second pool comprising at least one of a Characteristic Pool and a Commitment Pool.
7. (Previously presented) The method of claim 1, further comprising repeating said receiving and comparing steps in successive auction stages based upon at least one of successive Program Terms and successive pool groupings, to arrive at a final preferred bid relative to said pool.
8. (Previously presented) The method of claim 3, wherein said level of commitment is determined by a prior affirmative commitment by said customers to purchase said product in accordance with said preferred bid by said preferred merchant.

9. (Previously presented) The method of claim 4, wherein said ghost pool comprises all customers signing up for said product during a particular time frame.

10. (Previously presented) The method of claim 5, further comprising calculating a Term Ratio as a function of different rankings of said two or more Program Terms by said plurality of customers to facilitate grouping of customers who provided said different rankings into a common pool to further facilitate bidding by merchants on the opportunity to provide said product to said customers within said common pool.

11. (Previously presented) The method of claim 10, wherein said Term Ratio facilitates adjustment of a bid value relative to a second of said Program Terms based on a merchant's bid relative to a first of said Program Terms.

~~12. A method of facilitating bidding by merchants on the opportunity to provide at least one of a product and service to a defined group of customers, the method comprising:~~

~~grouping, prior to said bidding, a plurality of customers into a defined group according to established grouping criteria associated with said at least one of a product and service requested by said group of customers;~~

~~submitting for auction to a plurality of merchants said opportunity to provide said at least one of a product and service to said defined group of customers;~~

~~receiving a plurality of bids from said plurality of merchants regarding said opportunity;~~

~~selecting a preferred bid from said plurality of bids for award of said opportunity; and~~

~~notifying one of said plurality of merchants of said selection of said preferred bid.~~

~~13. The method of claim 12, wherein said establish grouping criteria comprises at least one of an express commitment to be bound by said preferred bid, a common demographic characteristic of said plurality of customers, a preferred grouping criterion selected by said plurality of customers, and a common ranking of grouping criteria by said plurality of customers.~~

~~14. The method of claim 12, wherein said grouping, prior to said bidding, comprises grouping a plurality of unknown potential customers based on said grouping criteria.~~

~~15. The method of claim 14, wherein said grouping criteria comprises a time frame during which said potential customers commit to receive said at least one of a good and service.~~

~~16. The method of claim 12, further comprising subdividing said defined group of customers based on secondary grouping criteria.~~

~~17. The method of claim 12, further comprising repeating said submitting and selecting steps in successive auction stages based on successive groupings of said plurality of customers based on different grouping criteria.~~

~~18. The method of claim 12, further comprising establishing a Term Ratio as a function of a plurality of grouping criteria to facilitate grouping of said plurality of customers based on at least one of varied selection and varied ranking of grouping criteria of said plurality of customers.~~

19. ~~The method of claim 18, wherein said Term Ratio facilitates adjustment of a bid value relative to a second of said grouping criteria based on a merchant's bid relative to a first of said grouping criteria.~~

20. (New) A method of providing an on-line market place for goods and services to a plurality of users and a plurality of bidders, comprising:

providing an on-line user interface which displays for selection a good or service;

receiving a selection of said good or service;

providing an on-line user interface, dependent upon the selection of good or service, which displays for selection a plurality of terms associated with said selected good or service, said selection indicative of a preferred one of said terms;

receiving said selection of said preferred one of said terms;

automatically grouping users into a pool, prior to an auction, such that each user in said pool has indicated a similar preference for said preferred one of said terms;

providing to a plurality of bidders an indication of said good or service together with an indication of said preferred one of said terms;

providing an on-line user interface permitting said plurality of bidders to enter an auction bid to provide said good or service, including said preferred one of said terms, to said pool of users;

receiving at least one bid from said plurality of bidders to provide said good or service;

comparing all said bids from said plurality of bidders to select a preferred bid therefrom; and

notifying the bidder providing said preferred bid that theirs is said preferred bid.

21. (New) The method of claim 20, further comprising the step of:

grouping the users within said pool into groups according to a criteria, said criteria comprising at least one of an express commitment to be bound by said preferred bid, a common demographic characteristic of said plurality of customers, and a preferred grouping criterion selected by said plurality of customers.

22. (New) The method of claim 20, further comprising the step of:

estimating the number of members of a pool, and providing said estimate to said plurality of bidders together with said indication of said good or service and said indication of said preferred one of said terms.

23. (New) The method of claim 20, further comprising the steps of:

providing an on-line user interface which displays for selection at least one period of time during which a user will commit to accept and be bound by a preferred bid;

receiving for a user a selection of one of said at least one period of time; and

grouping the users within said pool into groups based upon said selection of said at least one period of time.

24. (New) The method of claim 21, further comprising:

repeating said step of providing to a plurality of bidders an indication of said good or service together with an indication of said preferred one of said terms, and

repeating said step of receiving at least one bid from said plurality of bidders in successive auction stages based on alternate groupings of said plurality of customers according to different grouping criteria.

25. (New) The method of claim 21, further comprising establishing a term ratio as a function of a plurality of grouping criteria to facilitate grouping of said plurality of users based on at least one of a varied selection and varied ranking of said grouping criteria.

26. (New) The method of claim 25, wherein said Term Ratio facilitates adjustment of a bid value relative to a second of said grouping criteria based on a bidder's bid relative to a first of said grouping criteria.